

MINUTES

CASE NUMBER: CIVIL NO. 08-00525HG-LEK

CASE NAME: Daryl Dean Davis, et al. Vs. Four Seasons Hotel Limited dba
Four Seasons Resort, Maui

ATTYS FOR PLA:

ATTYS FOR DEFT:

INTERPRETER:

JUDGE: Leslie E. Kobayashi

REPORTER:

DATE: 06/29/2009

TIME:

COURT ACTION: EO: FINDINGS AND RECOMMENDATIONS THAT THE
CLERK'S OFFICE BE DIRECTED TO CLOSE CASE ADMINISTRATIVELY

On June 30, 2009, this Court granted Defendant Four Seasons Hotel Limited's Motion to Stay All Discovery, filed on April 20, 2009. The district judge issued the certified question to the Hawaii Supreme Court on June 2, 2009. As discovery has been stayed pending the response from the Hawaii Supreme Court, this Court hereby FINDS that there is good cause to close the case administratively and to reopen this matter only after the Hawaii Supreme Court rules on the certified question. Therefore, it is hereby RECOMMENDED that the district judge (1) direct the Clerk's Office to close this case administratively, and (2) instruct the parties that, after the Hawaii Supreme Court rules upon the certified question and if necessary based upon the supreme court's ruling, either party shall (within 30 days after receipt of this ruling) file a written motion to lift the stay.

It is FURTHER RECOMMENDED that the closure of this case be done simply for administrative purposes, and that the closure explicitly not affect nor change the filing date of this litigation in terms of the statute of limitations nor for any other purpose.

IT IS SO FOUND AND RECOMMENDED.

Submitted by: Warren N. Nakamura, Courtroom Manager